

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

December 7, 2006

9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, December 7, 2006, commencing at 9:00 a.m. All meetings will be held in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors and Standing Committees regarding any matter on these agendas. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under General Discussion and Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” and “consent calendar addenda” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities who wish to address BART Board matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER
 - A. Roll Call.
 - B. Pledge of Allegiance.
 - C. Introduction of Special Guests.

2. CONSENT CALENDAR
 - A. Approval of Minutes of the Meeting of November 16, 2006.* Board requested to authorize.

 - B. Resolutions to Establish the 2007 - 2009 Premium Contribution by the District for Medical Coverage for Employees and Retirees under Public Employees’ Medical and Hospital Care Act (PEMHCA).* Board requested to adopt.

- C. Resolution for Public Employees Retirement System (PERS) Contract Technical Amendment Regarding Employer-Paid Member Contributions Converted to Pay Rate in Final Compensation Period for Non-Represented Local Safety Members.* Board requested to adopt.
 - D. Six-Month Extension of Existing On-Call Joint Development Services Agreements: (a) Agreement No. 6G5439 with Economic and Planning (EPS); (b) Agreement No. 6G5628 with Keyser Marston Associates, Inc. (KMA); (c) Agreement No. 6G5629 with Economics Research Associates (ERA); (d) Agreement No. 6G5630 with CBRE Consulting, Inc. formerly the Sedway Group (CBRE).* Board requested to authorize.
 - E. Agreement with Industrial Battery Services (IBS) for Reconditioning of Transit Vehicle Nickel Cadmium Batteries (Agreement No. 6M3033).* Board requested to authorize.
 - F. Independent Auditor's Report on Basic Financial Statements and Internal Control for the Fiscal Year Ended June 30, 2006.* For information.
3. **CLOSED SESSION** (Room 303, Board Conference Room)
- A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
 Name of Case: Joey Lo Investments, LLC v. BART, San Mateo County Superior Court. Case No. 448051
 Government Code Section: 54956.9(a)
 - B. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
 Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: one potential case.

RECESS TO STANDING COMMITTEES

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY

ADMINISTRATION COMMITTEE

Immediately following the Board Meeting recess

Director Keller, Chairperson

- A-1. (CONTINUED from November 16, 2006, Administration Committee Meeting)
 Authority to Execute Agreement No. 6M5006 for an Availability and Utilization Study for the Bay Area Public Transportation Agencies (BAPT).* Board requested to authorize.
- A-2. General Discussion and Public Comment.

ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Administration Committee Meeting

Director Fang, Chairperson

- B-1. (CONTINUED from November 16, 2006, Engineering and Operations Committee Meeting)
 Quarterly Performance Report, First Quarter Fiscal Year 2007 - Service Performance Review.* For information.

* Attachment available

B-2. General Discussion and Public Comment.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Engineering and Operations Committee Meeting
Director Radulovich, Chairperson

C-1. Reconsideration of Alcohol Advertising on BART.* For potential action by Board. (Director Murray's request.)

C-2. General Discussion and Public Comment.

RECONVENE BOARD MEETING

4. CONSENT CALENDAR ADDENDA

Board requested to authorize as recommended from committee meetings above.

5. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

A-1. (CONTINUED from November 16, 2006, Administration Committee Meeting)

Authority to Execute Agreement No. 6M5006 for an Availability and Utilization Study for the Bay Area Public Transportation Agencies (BAPT).* Board requested to authorize.

B. ENGINEERING AND OPERATIONS COMMITTEE

B-1. (CONTINUED from November 16, 2006, Engineering and Operations Committee Meeting)

Quarterly Performance Report, First Quarter Fiscal Year 2007 - Service Performance Review.* For information.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

C-1. Reconsideration of Alcohol Advertising on BART.* For potential action by Board. (Director Murray's request)

6. GENERAL MANAGER'S REPORT

NO REPORT.

7. BOARD MATTERS

A. Report of the District Security Advocacy Ad Hoc Committee. For information.

B. Report of the District Organizational Review Ad Hoc Committee. For information. (Director Blalock's request.)

C. Roll Call for Introductions.

8. GENERAL DISCUSSION AND PUBLIC COMMENT